

AGENDA

Regular Meeting

of the

CITY COUNCIL OF THE CITY OF TROY

APRIL 12, 2004

CONVENING AT 7:30 P.M.

**Submitted By
The City Manager**

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your Agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible amendment and adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

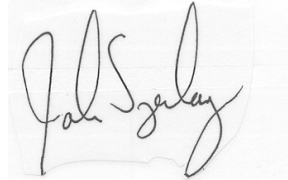
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

Goals

1. Minimize cost and increase efficiency of City government.
2. Retain and attract investment while encouraging redevelopment.
3. Effectively and professionally communicate internally and externally.
4. Creatively maintain and improve public infrastructure.
5. Protect life and property.

As always, we are happy to provide such added information as your deliberations may require.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Szerlag", is written over a light gray grid background.

John Szerlag, City Manager



CITY COUNCIL

AGENDA

April 12, 2004 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER 1

INVOCATION & PLEDGE OF ALLEGIANCE – Mr. Philip Fitzgerald – First Baptist Church 1

ROLL CALL 1

PRESENTATION: No Presentations scheduled. 1

PUBLIC HEARINGS: No Public Hearings scheduled. 1

POSTPONED ITEM: No Postponed Items brought forward. 1

PUBLIC COMMENT: 1

A. Items on the Current Agenda 1

B. Items Not on the Current Agenda 1

CONSENT AGENDA: No Consent Agenda items presented. 2

REGULAR BUSINESS 2

F-1 Minutes: Regular Meeting of March 22, 2004 and March 29, 2004 2

F-2 Minutes: Board of Canvassers – Meeting of April 6, 2004 2

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3317 or via e-mail at clerk@ci.troy.mi.us at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

COUNCIL COMMENTS/COUNCIL REFERRALS: No Council Referrals advanced. 3

REPORTS AND COMMUNICATIONS: No Reports and Communications submitted. 3

PUBLIC COMMENT 3

STUDY ITEMS: No Study Items submitted. 3

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE – Mr. Philip Fitzgerald – First Baptist Church

ROLL CALL

Mayor Matt Pryor
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine

PRESENTATION: No Presentations scheduled.

PUBLIC HEARINGS: No Public Hearings scheduled.

POSTPONED ITEM: No Postponed Items brought forward.

PUBLIC COMMENT:

A. Items on the Current Agenda

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. Consistent with Order of Business #11, the City Council will move forward the specific Business Items which audience members would like to address. The Mayor shall announce the items which are to be moved forward and will ask the audience if there are any additional items which they would like to address. All Business Items that members of the audience would like to address will be brought forth and acted upon at this time. Items will be taken individually and members of the audience will address council prior to council discussion of the individual item.

B. Items Not on the Current Agenda

After Council is finished acting on all Business Items that have been brought forward, the public is welcome to address the Mayor and Council on items that are specifically not on the agenda. (Rules of Procedure for the City Council, Article 15 as amended September 22, 2003)

CONSENT AGENDA: No Consent Agenda items presented.

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 13, as amended September 22, 2003)

REGULAR BUSINESS

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair (during the public comment portion of the agenda item's discussion). Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt members of the public during their comments. For those addressing City Council, petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council and all other interested people, their time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended September 22, 2003. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair.

F-1 Minutes: Regular Meeting of [March 22, 2004](#) and [March 29, 2004](#)Suggested Resolution

Resolution #2004-04-

Moved by

Seconded by

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of March 22, 2004 and the Minutes of the 7:30 PM Joint Meeting of March 29, 2004 be **APPROVED** as submitted.

Yes:

No:

F-2 Minutes: Board of Canvassers – Meeting of April 6, 2004Suggested Resolution

Resolution #2004-04-

Moved by

Seconded by

RESOLVED, That the Minutes of the Board of Canvassers Meeting of Tuesday, April 6, 2004 be **RECEIVED**.

Yes:

No:

COUNCIL COMMENTS/COUNCIL REFERRALS: No Council Referrals advanced.

Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda.

REPORTS AND COMMUNICATIONS: No Reports and Communications submitted.

PUBLIC COMMENT

Public Comment is limited to people who have not addressed Council during the 1st Public Comment section (Rules of Procedure for the City Council, Article 5 (15), as amended May 6, 2002).

STUDY ITEMS: No Study Items submitted.

It is City Management's recommendation to recess the Regular meeting at this time and to immediately reconvene it in the Council Board Room to provide for a study environment. Additionally, it would be recommended that the Mayor request the City Clerk to post notice that the City Council meeting has been relocated to the Council Board Room.

Respectfully submitted,

John Szerlag, City Manager

A Regular Meeting of the Troy City Council was held Monday, March 22, 2004, at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 7:37 P.M.

The Invocation was given by Fr. Stratton Dorozenski – St. Nicholas Greek Orthodox Church and the Pledge of Allegiance to the Flag was given.

ROLL CALL

PRESENT: Mayor Matt Pryor
Robin E. Beltramini
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine
ABSENT: Cristina Broomfield

Resolution to Excuse Council Member Broomfield

Resolution #2004-03-166
Moved by Beltramini
Seconded by Eisenbacher

RESOLVED, That Council Member Broomfield's absence at the Regular City Council meeting of Monday, March 22, 2004 **BE EXCUSED** due to her absence from the county.

Yes: All-6
No: None
Absent: Broomfield

PRESENTATION: No presentations scheduled.

PUBLIC HEARINGS:

C-1 Parking Variance Request - 3614-3674 Rochester Rd

Resolution #2004-03-167
Moved by Howrylak
Seconded by Lambert

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.

3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that the practical difficulties justifying the variances are:

- A. That absent a variance, no reasonable use can be made of the property; or
- B. That absent a variance, a significant natural feature would be negatively affected or destroyed; or
- C. That absent a variance, public health, safety and welfare would be negatively affected; or
- D. That literal enforcement of the Zoning Ordinance precludes full enjoyment of the permitted use and makes conforming unnecessarily burdensome. In this regard, the City Council shall find that a lesser variance does not give substantial relief, and that the relief requested can be granted within the spirit of the Ordinance, and within the interests of public safety and welfare; and

WHEREAS, The City Council finds the above-stated general conditions to be present and finds the practical difficulty stated above to be operative in the appeal.

NOW, THEREFORE, BE IT RESOLVED, That the request from Dennis Dahnke for waiver of 8 additional parking spaces at the development at 3614–3674 Rochester Road be **APPROVED**.

Yes: All-6
No: None
Absent: Broomfield

C-2 Commercial Vehicle Appeal - 1918 Muer

Resolution #2004-03-168
Moved by Eisenbacher
Seconded by Howrylak

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not

negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition, justifying the granting of a variance:

- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Cristian Artan, 1918 Muer, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Dodge stake truck and utility trailer in a residential district is hereby **APPROVED** for two years.

Yes: Eisenbacher, Howrylak, Lambert, Pryor, Beltrami

No: Stine

Absent: Broomfield

MOTION CARRIED

C-3 Commercial Vehicle Appeal – 2803 Rhodes

Resolution #2004-03-169

Moved by Lambert

Seconded by Beltrami

Vote on Resolution for Denial

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of conditions, justifying the granting of a variance.

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Doug Brown for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevrolet box truck in a residential district is hereby **DENIED**.

Yes: Lambert, Stine, Beltramini
No: Howrylak, Pryor, Eisenbacher
Absent: Broomfield

MOTION FAILED

Vote on Resolution for Approval

Resolution #2004-03-170
Moved by Beltramini
Seconded by Lambert

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance:

- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Doug Brown, 2803 Rhodes, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevrolet box truck in a residential district is hereby **APPROVED** until August 15, 2004.

Yes: All-6
No: None
Absent: Broomfield

C-4 Commercial Vehicle Appeal – 6640 John R

Resolution #2004-03-171
Moved by Howrylak
Seconded by Lambert

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance:

- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Kirk Stender, 6640 John R., for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Freightliner tractor/trailer in a residential district is hereby **APPROVED** for a period of 45-days.

Yes: Pryor, Eisenbacher, Howrylak, Lambert
No: Stine, Beltrami
Absent: Broomfield

MOTION CARRIED

POSTPONED ITEM:

D-1 PUBLIC HEARING: Article II (Changes, Amendments and Approvals) Zoning Ordinance Amendments and the Repeal of Chapter 40 (ZOTA #203)

Resolution #2004-03-172

Moved by Beltrami

Seconded by Eisenbacher

RESOLVED, That Article II (Changes, Amendments and Approvals) Zoning Ordinance Amendments and the Repeal of Chapter 40 (ZOTA #203) be **REFERRED** to the Planning Commission for placement on their earliest agenda.

Yes: All-6

No: None

Absent: Broomfield

PUBLIC COMMENT:

A. Items on the Current Agenda**COUNCIL COMMENTS/COUNCIL REFERRALS**

1. Council Discussion Regarding the Downtown Development Authority's (DDA) Resolution to Expend Funds to Produce and Mail a Voter Informational Flyer Regarding the Civic Center Land Sale Ballot Proposal – Advanced by Council Member Lambert

Resolution

Moved by Lambert

Seconded by Eisenbacher

RESOLVED, That the Downtown Development Authority (DDA) 2003-2004 Budget is hereby **AMENDED** by reducing the Operating Expenditure portion in the amount of \$45,000.00.

Vote on Substitute Amendment

Resolution #2004-03-173

Moved by Pryor

Seconded by Beltrami

RESOLVED, That the Resolution be **AMENDED** by **STRIKING** "That the Downtown Development Authority (DDA) 2003-2004 Budget is hereby AMENDED by reducing the Operating Expenditure portion in the amount of \$45,000.00" and **SUBSTITUTING** by **INSERTING** "That the Downtown Development Authority (DDA) 2003-2004 Budget is hereby

AMENDED to preclude expenditures for the next 30-days on advertisings, mailings or literature.”

Yes: Beltramini, Eisenbacher, Stine, Pryor
No: Howrylak, Lambert
Absent: Broomfield

MOTION CARRIED

Vote on Resolution as Substituted

Resolution #2004-03-174
Moved by Lambert
Seconded by Eisenbacher

RESOLVED, That the Downtown Development Authority (DDA) 2003-2004 Budget is hereby **AMENDED** to preclude expenditures for the next 30-days on advertisings, mailings or literature.

Yes: All-6
No: None
Absent: Broomfield

The meeting **RECESSED** at 9:17 PM.

The meeting **RECONVENED** at 9:40 PM.

B. Items Not on the Current Agenda

CONSENT AGENDA

E-1 Approval of Consent Agenda

Resolution #2004-03-175
Moved by Beltramini
Seconded by Lambert

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item E-2, which shall be considered after Consent Agenda (E) items, as printed.

Yes: All-6
No: None
Absent: Broomfield

E-3 City of Troy Proclamations

Resolution #2004-03-175-E-3

RESOLVED, That the following City of Troy Proclamations be **APPROVED**:

- (a) April 2004 – Alcohol Awareness Month
- (b) Troy High School Symphonic Band – Performance at Carnegie Hall

E-4 Waiver of Parking Restrictions

Resolution #2004-03-175-E-4

RESOLVED, That the City Council of the City of Troy does hereby **WAIVE** the No Parking restrictions on the east side of Northfield Parkway from the parking lot entrance to Congregation Shir Tikvah to the entrance to Boulan Park, on Friday, April 9, 2004, between the hours of 7:00 pm and 11:00 pm.

ITEM TAKEN OUT OF ORDER

E-2 Minutes: Regular Meeting of March 15, 2004

Resolution #2004-03-176

Moved by Eisenbacher

Seconded by Beltramini

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of March 15, 2004 be **APPROVED** as **REVISED**.

Yes: All-6

No: None

Absent: Broomfield

REGULAR BUSINESS – No Regular Business Items submitted.

F-1 Closed Session – None requested.

REPORTS AND COMMUNICATIONS

G-1 Calendar

Noted and Filed

PUBLIC COMMENT

STUDY ITEMS – No Study Items submitted.

The meeting **ADJOURNED** at 9:46 PM.

Matt Pryor, Mayor

Tonni L. Bartholomew, MMC - City Clerk

A Joint Meeting of the Troy City Council and the Parks and Recreation Board was held Monday, March 29, 2004 at the Community Center. City Manager Mayor Pro Tem Lambert called the Meeting to order at 7:35 P.M.

ROLL CALL

City Council Members:

PRESENT:

Mayor Matt Pryor (Arrived 7:40 P.M.)
David A. Lambert
Robin Beltramini
David Eisenbacher
Martin F. Howrylak
Jeanne M. Stine

ABSENT:

Cristina Broomfield

Parks and Recreation Board Members:

Douglas M Bordas (Arrived 7:41 P.M.)
Merrill Dixon
Ida Edmunds
Kathleen Fejes
Orestes Kaltsounis
Amy Kerns
Meaghan Kovacs (Departed 9:45 P.M.)
Tom Krent
Stuart Redpath
Jeffrey Stewart
Janice Zikakis

Staff:

John Szerlag, City Manager
Lori Grigg Bluhm, City Attorney
John M. Lamerato, Assistant City Manager/Finance & Administration
Gary A. Shripka, Assistant City Manager/Services
Carol Anderson, Parks and Recreation Director
Stu Alderman, Superintendent of Recreation
Jeff Biegler, Superintendent of Parks
Laura Fitzpatrick, Assistant to the City Manager

ABSENT MEMBERS

Resolution #2004-03-177

Moved by Stine
Seconded by Eisenbacher

RESOLVED, That Council Member Broomfield be excused.

Yes: All-5
No: None
Absent: Broomfield, Pryor

MOTION CARRIED

The following motion was offered by Parks and Recreation Board members re: their attendance.

Moved by Krent

Seconded by Zikakis

RESOLVED, That Bordas be excused.

Yes: All – 10

No: None

Absent: Bordas

MOTION CARRIED

Jeff Biegler provided an overview of seventeen parks in the City. His presentation included graphical presentations of parks including overlays of various park elements.

City Council referred the issue of cricket field locations and the residency policy back to the Parks and Recreation Board for study.

VISITOR COMMENTS

The meeting adjourned at 10:22 PM.

Matt Pryor
Mayor

John M. Lamerato,
Assistant City Manager/Finance and Administration

A Regular Meeting of the Troy Board of Canvassers was held Tuesday, April 6, 2004, in Conference Room D, City Hall, 500 W. Big Beaver Road. Chairperson Inglehart called the Meeting to order at 10:05 AM.

ROLL CALL

PRESENT: Leah Inabnitt, Gloria Inglehart, Mary Shiner, Carole Webb
ABSENT: None
ALSO PRESENT: City Clerk Bartholomew, Deputy City Clerk Holmes

Appointment of Chairperson:

BC-04-04-001
Motion by Shiner
Seconded by Webb

RESOLVED, That Member Inglehart is **APPOINTED** as Chairperson.

Yes: All-4

Approval of Minutes: April 8, 2003

BC-04-04-002
Motion by Inabnitt
Seconded by Webb

RESOLVED, That the Minutes of April 8, 2003 are hereby **APPROVED** as presented.

Yes: All-4

Meeting was Recessed at 1:20 PM and Reconvened at 2:10 PM.

Canvass of Votes Cast for the City General Election Held Monday, April 5, 2004:

Canvass of Precincts

BC-04-04-003
Motion by Webb
Seconded by Inglehart

RESOLVED, That the City Clerk and Deputy City Clerk be instructed to **SEAL** the ballot container for the Canvass of Precincts for the City General Election held on Monday, April 5, 2004 once discrepancies discovered by Board are satisfied as indicated on "*Inquiries Report*"; a copy of which is **ATTACHED** to the original Minutes of this meeting.

Yes: All-4

The Board confirmed and signed the "*Canvass of Votes Cast*" report, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Canvass of Votes Cast:

Mayor - Vote for One – Three Year Term:

<u>CANDIDATE:</u>	<u>VOTES:</u>
Richard Hughes	1,072
Matt Pryor	4,807
Louise E. Schilling	6,469

Louise E. Schilling having received a sufficient number of votes was elected Mayor for three-year term ending April 9, 2007.

Council Member - Vote for Two – Three Year Terms:

<u>CANDIDATE:</u>	<u>VOTES:</u>
Robin Beltramini	5,549
Dave Lambert	8,460
Victor Lenivov	3,443
Alan Manzon	4,091

Dave Lambert and Robin Beltramini each having received a sufficient number of votes were elected Council Member for three-year terms ending April 9, 2007.

Ballot Proposals – Vote Yes or No:

Charter Amendment Proposal 04-1

Shall Section 7.9 of the Troy Charter, which requires "nomination petitions for candidates for regular city elections to be filed with the Clerk on or before 4 o'clock pm of the twenty-eighth (28) day preceding the third Monday of February of each year", be replaced with "nomination petitions for candidates for regular City elections are to be filed with the Clerk on or before 4 o'clock pm of the one hundredth (100th) day preceding the City election for each election year"?

Yes: 8317

No: 3213

Proposal 04-1 having received sufficient votes was passed.

Charter Amendment Proposal 04-2

Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to reduce the number of signatures from “at least ten percent of the registered electors of the City”, to “at least 2,000 signatures of the registered electors of the City”?

Yes: 5861

No: 5852

Proposal 04-2 having received sufficient votes was passed.

Charter Amendment Proposal 04-3

Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to increase the time period to gather signatures from “twenty-one days prior to the filing of the petition” to “ninety days prior to the filing of the petition”?

Yes: 8484

No: 3220

Proposal 04-3 having received sufficient votes was passed.

Charter Amendment Proposal 04-4

Shall Section 12.1 of the Charter, which currently requires sealed bids to be obtained for all sales and purchases in excess of ten thousand dollars, be amended to allow for competitive bids through alternative methods including but not limited to electronic submission or reverse auction methods, by replacing “sealed bids shall be obtained” with “competitive bids shall be obtained through a traditional sealed bid procedure or alternative methods, providing the method used preserves the integrity of the competitive process”?

Yes: 7964

No: 3743

Proposal 04-4 having received sufficient votes was passed.

Charter Amendment Proposal 04-5

Shall Section 3.8.5 of the Troy Charter be repealed to eliminate the requirement for the Mayor to send an annual proclamation to the U.S. Congress, encouraging them to use their best efforts to amend the Constitution to require term limits on the U.S. Congress?

Yes: 5630

No: 6040

Proposal 04-5 having not received sufficient votes was not passed.

Charter Amendment Proposal 04-6

Shall the City of Troy, Michigan be authorized to convey seven acres of the Troy Civic Center site for the development of conference/hotel facilities?

Yes: 2514

No: 9941

Proposal 04-6 having not received sufficient votes was not passed.

Audience Participation: None

Adjournment: 2:12 PM

Tonni L. Bartholomew
Clerk of the Board of Canvassers

Gloria Inglehart - Chairperson
Board of Canvassers

CITY OF TROY
BOARD OF CANVASSERS

INQUIRIES

ELECTION	April 5, 2004 City General Election
DATE OF CANVASS	April 6, 2004


PRECINCT	DESCRIPTION OF DESCREPECY	CORRECTION
004	119 votes cast for Kenivov on receipt vs. 120 votes cast " " on Precinct Report	<i>Let Walcott</i>
004	Need poll book	Opened #3 (Clerk) envelope
002	Poll book - Signatures of oath to in wrong place	Persons taking oath wrote signatures in correct place.
002	Poll book - back page missing a signature	Corrected
031	Envelope #2 opened in error	<u>Resealed</u>
006	Statement of votes not signed by chair	She came in and signed
007	Poll book back page line H should read 22300-22042+1 = 259 33841-22870	Corrected in red ink
009	Poll book line H, 1st box should be 26,606	Corrected
009 009	Improperly sealed ballot can New Seal # 963283 Members Marilyn Nichols + Diana Heinrich	+
009 011	Poll Book - Remarks section should include "Carol Gravelle was unable to attend due to illness."	Corrected
015	Seal not initialed	Noted
015	Poll-book - Under line A should read 12,900 'on back	Corrected
015	Poll-book line H on back should read 12,900 - 12824 + 1 = 77	Corrected
015	Statement of votes - Statement of votes + proposal lang. not attached	We attached

Properly sealed

CITY OF TROY
BOARD OF CANVASSERS

INQUIRIES

ELECTION	April 5, 2004 City General Election
DATE OF CANVASS	April 6, 2004

PRECINCT	DESCRIPTION OF DESCREPECY	CORRECTION
018	Missing a set of initials on seal	Noted
018	Did not note tabulator statements + proposal language as attached	Corrected
018	Poll-book front page, Nobody signed preparation certificate section	
018	Nobody signed on back of poll book sect. regarding program seal	
020	Poll book - back page, need additional signature for seal verification	
020	4 of 6 spoiled ballots are not marked in poll book	Noted
023	Poll book - back page line should read $31500 - 30901 + 1 = 600$	Corrected
025	Missing one signature for Suman preparation certification Desai	Suman Desai signed ✓
025	Johnson, Desai, need to sign oath section in poll book	Both Took Oath in Precinct 30
025	W. Johnson did not sign statement of votes (Optical scan) under seal verification	
027	(Optical Scan) Statement of votes, need D. Slowick to verify sealing	
027	Richard did not sign oath on poll book	

Noted in Remarks

INQUIRIES

ELECTION	April 5, 2004 City General Election
DATE OF CANVASS	April 6, 2004

[illegible]

CITY OF TROY
BOARD OF CANVASSERS

INQUIRIES

ELECTION	April 5, 2004 City General Election
DATE OF CANVASS	April 6, 2004

PRECINCT	DESCRIPTION OF DESCREPECY	CORRECTION
31	Ronald Sherman DN sign tapes signed that he sealed container	11:57 Mr. Sherman signed the Tapes.
03	Ballot Summary incorrect H Number of Ballots corrected to 12000	Corrected # of Ballots from 11601 - to 12000
12	Opened Clerk's Envelope to obtain Poll Book. Resealed.	Resealed, signed by M.S.
12	Copy of Ballot not in envelope	added a copy of the Ballot to envelope
14	# 172 SPOILED ON PAGE 14 VOTER 268 REPLACED BY 174	SPOILED BALLOT NOTED IN POLL BOOK
16	"Signature of Person Administering Oath" p. 3 missing (pollbook)	
14	Envelope 2 opened - Remove "applications to vote"	Resealed, signed by M.S.
16	p. 58 Remarks - Extra ballots... (They were not used)	So noted in poll book by G.I.
17	Barbara Kasper DN sign p. 2 "Electoral Disputes Prepayment Certificate"	
19	S. Sundarsen did not sign oath p. 3.	Mr. Sundarsen signed.
22	"Statement of Votes" used Training Form	OK per C.C. Pet. # pending in (red) by M.S.
22	"Signature of Person Administering Oath" p. 3 (pollbook) missing (2 spaces)	
26	Incorrect "Statement of Votes" form	C.C. provided correct copy
26	Mary Gleason left at 3:00 per C.C. Came at 10:00 am	Noted in red in poll book p. 57 "Remarks" by MS
30	"Statement of Votes" Form 2 signatures missing "in SEATING" + "... VERIFIED..."	

INQUIRIES

[illegible]



CANVASS OF VOTES CAST

AT THE ELECTION
HELD ON Monday, April 5, 2004

AND CANVASSED BY THE BOARD OF
CANVASSERS

OF TROY, OAKLAND COUNTY, MICHIGAN

STATEMENT OF VOTES

The whole number of votes given for the office of **Mayor** for a **three-year** term was:

Twelve Thousand Three Hundred and Seventy Six

NUMBER OF VOTES WRITTEN IN WORDS

12,376

NUMBER OF VOTES

and they were given for the following persons:

PERSONS RECEIVING THE VOTES	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES
Richard Hughes	One Thousand and Seventy Two	1,072
Matt Pryor	Four Thousand Eight Hundred and Seven	4,807
Louise E. Schilling	Six Thousand Four Hundred and Sixty Nine	6,469

The whole number of votes given for the office of **Council Member** for a **three-year** term was:

Twenty One Thousand Five Hundred and Sixty Nine

NUMBER OF VOTES WRITTEN IN WORDS

21,569

NUMBER OF VOTES

and they were given to the following persons:

PERSONS RECEIVING THE VOTES	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES
Robin Beltramini	Five Thousand Five Hundred and Forty Nine	5,549
Dave Lambert	Eight Thousand Four Hundred and Sixty	8,460
Victor Lenivov	Three Thousand Four Hundred and Forty Three	3,443
Alan Manzon	Four Thousand and Ninety One	4,091

STATEMENT OF VOTES

The whole number of votes for and against the **Proposal 04-1** was

Eleven Thousand Five Hundred and Thirty

NUMBER OF VOTES WRITTEN IN WORDS

11,530

NUMBER OF VOTES

of which number Eight Thousand Three Hundred Seventeen

NUMBER OF VOTES WRITTEN IN WORDS

8,317

NUMBER OF
VOTES

were marked **YES**.

And

Three Thousand Two Hundred Thirteen

3,213

	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES
were marked NO .		

The whole number of votes for and against the **Proposal 04-2** was

Eleven Thousand Seven Hundred and Thirteen	11,713
NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

of which number	Five Thousand Eight Hundred Sixty One	5,861
	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

were marked **YES**.

And	Five Thousand Eight Hundred Fifty Two	5,852
	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

were marked **NO**.

The whole number of votes for and against the **Proposal 04-3** was

Eleven Thousand Seven Hundred and Fourteen	11,714
NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

of which number	Eight Thousand Four Hundred and Ninety Four	8,494
	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

were marked **YES**.

And	Three Thousand Two Hundred and Twenty	3,220
	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

were marked **NO**.

The whole number of votes for and against the **Proposal 04-4** was

Eleven Thousand Seven Hundred and Seven	11,707
NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

of which number	Seven Thousand Nine Hundred and Sixty Four	7,964
	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

were marked **YES**.

And	Three Thousand Seven Hundred and Forty Three	3,743
	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

were marked **NO**.

The whole number of votes for and against the **Proposal 04-5** was

<u>Eleven Thousand Six Hundred and Seventy</u>	<u>11,670</u>
NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

of which number	<u>Five Thousand Six Hundred and Thirty</u>	<u>5,630</u>
	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

were marked **YES**.

And	<u>Six Thousand and Forty</u>	<u>6,040</u>
	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

were marked **NO**.

The whole number of votes for and against the **Proposal 04-6** was

<u>Twelve Thousand Four Hundred and Fifty Five</u>	<u>12,455</u>
NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

of which number	<u>Two Thousand Five Hundred and Fourteen</u>	<u>2,514</u>
	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

were marked **YES**.

And	<u>Nine Thousand Nine Hundred and Forty One</u>	<u>9,941</u>
	NUMBER OF VOTES WRITTEN IN WORDS	NUMBER OF VOTES

were marked **NO**.

CERTIFICATE OF DETERMINATION

STATE OF MICHIGAN

COUNTY OF OAKLAND

The Board of Canvassers of the City of Troy have Ascertained and Canvassed the Votes of said City at the General Election, held on the fifth day of April, two thousand and four

DO HEREBY CERTIFY AND DETERMINE:

That Louise E. Schilling having received sufficient number of votes is elected Mayor

That Dave Lambert having received sufficient number of votes is elected Council Member

That Robin Beltramini having received sufficient number of votes is elected Council Member

DO FURTHER HEREBY DETERMINE:

That the following propositions were passed or defeated as indicated below:

PROPOSAL 04-1

NAME OF PROPOSITION

Shall Section 7.9 of the Troy Charter, which requires “nomination petitions for candidates for regular city elections to be filed with the Clerk on or before 4 o’clock pm of the twenty-eighth (28) day preceding the third Monday of February of each year”, be replaced with “nomination petitions for candidates for regular City elections are to be filed with the Clerk on or before 4 o’clock pm of the one hundredth (100th) day preceding the City election for each election year”?

Should this amendment be approved?

Having _____ Received _____ Sufficient votes was _____ Passed _____

That the following propositions were passed or defeated as indicated below:

PROPOSAL 04-2

NAME OF PROPOSITION

Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to reduce the number of signatures from “at least ten percent of the registered electors of the City”, to “at least 2,000 signatures of the registered electors of the City”?

Should this amendment be approved?

Having _____ Received _____ Sufficient votes was _____ Passed _____

That the following propositions were passed or defeated as indicated below:

PROPOSAL 04-3
NAME OF PROPOSITION

Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to increase the time period to gather signatures from “twenty-one days prior to the filing of the petition” to “ninety days prior to the filing of the petition”?

Should this amendment be approved?

Having _____ Received _____ Sufficient votes was _____ Passed _____

That the following propositions were passed or defeated as indicated below:

PROPOSAL 04-4
NAME OF PROPOSITION

Shall Section 12.1 of the Charter, which currently requires sealed bids to be obtained for all sales and purchases in excess of ten thousand dollars, be amended to allow for competitive bids through alternative methods including but not limited to electronic submission or reverse auction methods, by replacing “sealed bids shall be obtained” with “competitive bids shall be obtained through a traditional sealed bid procedure or alternative methods, providing the method used preserves the integrity of the competitive process”?

Should this amendment be approved?

Having _____ Received _____ Sufficient votes was _____ Passed _____

That the following propositions were passed or defeated as indicated below:

PROPOSAL 04-5
NAME OF PROPOSITION

Shall Section 3.8.5 of the Troy Charter be repealed to eliminate the requirement for the Mayor to send an annual proclamation to the U.S. Congress, encouraging them to use their best efforts to amend the Constitution to require term limits on the U.S. Congress?

Should this amendment be approved?

Having Not Received Sufficient votes was Not Passed

That the following propositions were passed or defeated as indicated below:

PROPOSAL 04-6
NAME OF PROPOSITION

Shall the City of Troy, Michigan be authorized to convey seven acres of the Troy Civic Center site for the development of conference/hotel facilities?

Should this proposal be approved?

Having Not Received Sufficient votes was Not Passed

In Witness Whereof, we have hereunto set our hands and affixed the Seal of the City of Troy this Sixth day of April in the year two thousand four.

Gloria S. Inglehart
Chairperson

Mary E. Skinner

Carole Webb

Leah Shalutt



Board of Canvassers

ATTEST:

Tonni L. Bartholomew
Tonni L. Bartholomew
Clerk of Board of Canvassers